



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 455

S.P. 184

In Senate, February 24, 2015

An Act To Prohibit Deceptive Practices Regarding Unsolicited Loans

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator VALENTINO of York.
Cosponsored by Representative JORGENSEN of Portland and
Representatives: GRANT of Gardiner, MARTIN of Eagle Lake, ROTUNDO of Lewiston.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 9-A MRSA §3-201, sub-§1**, as amended by PL 1987, c. 129, §54, is
3 further amended to read:

4 **1.** No creditor may engage in this State in false or misleading advertising
5 concerning the terms or conditions of credit with respect to a consumer credit transaction
6 or an open-end credit plan. A creditor may not make an unsolicited loan offer through
7 the mail in the form of a check that when cashed by the recipient constitutes acceptance
8 of a loan.

9 **Sec. 2. 9-A MRSA §9-301, sub-§1**, as enacted by PL 1987, c. 396, §12, is
10 amended to read:

11 **1.** No creditor may engage in this State in false or misleading advertising
12 concerning the terms and conditions of a consumer credit transaction subject to this
13 article. A creditor may not make an unsolicited loan offer through the mail in the form of
14 a check that when cashed by the recipient constitutes acceptance of a loan.

15 **Sec. 3. 9-B MRSA §242, sub-§5** is enacted to read:

16 **5. Unsolicited loan offers.** A financial institution authorized to do business in this
17 State, a credit union authorized to do business in this State, an association of such
18 institutions or a financial institution holding company may not make an unsolicited loan
19 offer through the mail in the form of a check that when cashed by the recipient constitutes
20 acceptance of a loan.

21 **SUMMARY**

22 This bill prohibits financial institutions and creditors from mailing unsolicited loan
23 offers in the form of checks that when cashed by the recipient constitute acceptance of a
24 loan.